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Attorneys for Defendant and Counterclaimant,  
**PROTECTIVE OPTICS, INC.**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

PANOPTX, INC. a California corporation,  
  
Plaintiffs,  
  
v.  
  
PROTECTIVE OPTICS, INC., et al.,  
  
Defendant.

Case No. C06-7610 MHP

**STIPULATION AND ~~PROPOSED~~**  
**ORDER EXTENDING BY THREE**  
**DAYS PROTECTIVE OPTICS' TIME**  
**TO REPLY IN SUPPORT OF MOTION**  
**FOR SUMMARY JUDGMENT**

Dept: Courtroom 15, 18th Floor  
Judge: Hon. Marilyn Hall Patel

**AND RELATED COUNTER-CLAIMS**

Plaintiff and Counterclaim-Defendant Panoptx, Inc. ("Panoptx") and Defendant and Counterclaimant Protective Optics, Inc. ("Protective") by and through their undersigned counsel, state and agree as follows:

WHEREAS, on June 25, 2007, Protective filed its motion for summary judgment (the "Motion"), which motion is now scheduled for hearing on September 24, 2007;

WHEREAS, on June 26, 2007, pursuant to stipulation, this Court reset the briefing schedule on the Motion to extend the deadline for Panoptx's opposition to August 6, 2007, and

1 the deadline for Protective Optics' reply brief to August 13, 2007 (*see* Dkt. No. 26);

2 WHEREAS, a scheduling conflict has arisen which affects the availability of Panoptx's  
3 counsel and expert during the week of August 6 which would be alleviated if Protective were  
4 allowed an additional three days, to August 16, to file its reply brief;

5 WHEREAS, counsel for Protective and Panoptx have met and conferred regarding this  
6 extension;

7 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the parties to this  
8 action, by and through their respective counsel of record, and subject to the approval of the Court,  
9 that the deadline for Protective Optics to file its reply brief should be extended until August 16,  
10 2007, and the September 24, 2007 hearing date should remain the same.

11 **IT IS SO STIPULATED.**

12 Dated: July 17, 2007

GREENBERG TRAURIG, LLP

13  
14 By: \_\_\_\_\_/s/  
15 Daniel T. McCloskey  
16 Attorneys for Defendant and  
Counterclaimant, PROTECTIVE OPTICS, INC.

17 Dated: July 17, 2007

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

18  
19  
20 By: \_\_\_\_\_/s/  
21 Michael D. Lisi  
22 Attorneys for Plaintiff and Counterclaim-defendant  
PANOPTX, INC.

23 I hereby attest that I have been authorized by Michael D. Lisi to execute on his behalf this  
24 Stipulation And [Proposed] Order Extending By Three Days Protective Optics' Time To Reply In  
25 Support Of Motion For Summary Judgment.

26 Executed on this 17th day of July, 2007 at San Francisco, California.

27 \_\_\_\_\_/s/  
28 Daniel T. McCloskey

**PURSUANT TO STIPULATION, IT IS SO ORDERED**

Dated: July 19, 2007

